IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF AUGUST

TWO THOUSAND AND SIX

:PRESENT:

THE HON'BLE MS JUSTICE : G. ROHINI

WRIT PETITION NO : 14383 of 2006

Between:

M/s.Sri Kamakshi Granite Metal Industries, Rep.by its Proprietor Dr. Bandi Ashok Kurmar,S/o.Venkateswarlu, Burugupudi Village, Korukonda Mandal, E.G District.

..... Petitioner

AND

1. State Bank of India, (Govt of India undertaking) Main Branch, Rajahmundry, Rep. by its Manager, Rajahmundry, E.G. District.
2. The Recovery Officer, Debt Recovery Tribunal at Vishakapatnam.

.....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of Mandamus declaring the notice of demand published in Prajashakthi New Paper dt. 28-06-2006 to recover an amount of Rs.50,35,806/-as illegal, arbitrary and unjust and also in violation of principles of natural justice and consequently direct the 1st respondent to consider the representation made by the petitioner dated 08-7-2006 in the interest of justice.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support there of and the High Court order dated 14-07-2006 20-07-2006 & 27-07-2006 made herein and upon hearing the arguments of Sri K. Venkatesh, Advocate for the Petitioner and Sri M. Narender Reddy Advocate for the Respondent No.1 the Court made the following

ORDER

A counter-affidavit has been filed on behalf of the respondents.

Having heard the learned counsel for both the parties and keeping in view the plea of the petitioner in the affidavit filed in support of the writ petition that he is prepared to clear off the entire loan account if reasonable time is granted, I deem it appropriate to direct the petitioner to pay a sum of Rs. 10 lakhs (Rupees ten lakhs only) to the 1st respondent in the first instance to show his bona fides. Such payment shall be made on or before 15/9/2006.

Post this writ petition on 18-9-2006.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Manager, State Bank of India,(Govt of India undertaking), Main Branch, Rajahmundry, Rajahmundry, E.G District.
2. The Recovery officer, Debt Recovery Tribunal at Vishakapatnam.
3. Dr. Bandi Ashok Kurmar, s/o Venkateswarlu, Proprietor, M/s. Sri Kamakshi Granite Metal Industries, Burugupudi village, Korukonda Mandal, E.G. District.
4. One cc to Sri K. Venkatesh Advocate (OPUC)
5. One spare copy

nwa

HIGH COURT

RG J

DATED 10-08-2006

ORDER

W.P. NO. 14383 OF 2006

EXTENSION

Drafted by : nwa
Dated : 11-08-2006

HIGH COURT

RG J

DATED 10-08-2006

Note: Post this Writ Petition on 18-9-2006

ORDER

W.P. NO. 14383 OF 2006

EXTENSION